

Arizona Developmental Disabilities Planning Council Legislative Update: April 26, 2013

April 23, 2013 marked the 100th day on the calendar of this spring's Arizona legislative session. This date signals that things should be winding down shortly for this season. This Saturday is the official 'first' end date based upon legislative rules. However, all indications are that what will likely drive some push toward closure for this year's events is that the elected officials must still pass a state budget and there appears from all informal reports much work yet to be done in that area. A current suggestion brought forward now by the Arizona State Senate is that the Legislature cut its schedule to only three days a week from the standard four day week, since the volume of work has slowed with the issue of Medicaid still in the crosshairs of debate.

The method for the Legislature to handle the week-by-week extension of their formal 100-day work session is to vote week by week for additional time to be invested in all activities as an elected body. On May 14, 2013, the amount of money paid to each lawmaker is reduced for their daily minor expenses; this means those who travel from outside of Maricopa County receive \$20.00 per day instead of a previous \$ 60.00 per day; if an elected official lives within Maricopa County they will receive only \$10.00 per day instead of the rate of \$35.00 per day. This daily payment is for the costs of meals and living expenses while the legislature is in session.

We know that the timeframe for the Legislature to complete all of their work within 100 days is a tough one to achieve. In the past almost 50 years, this has only been achieved 12 times. So each week will bring a new sense of pressure to complete the work started in January. Meanwhile, many bills are standing in a 'holding' pattern, not yet sent on to the Governor's office for review or signature. This has created a tipping point while Medicaid differences continue to be debated and analyzed by all involved.

Some of the key points of debate about the Medicaid issue remain clearly focused on both costs and revenue streams that may impact our state; the differences in perspective are as follows:

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Medicaid Cost Estimates

Without Federal Funding

Brewer: Arizona would *spend* \$200 million; 60,255 citizens are then eligible for care.

Legislature: Arizona would *spend* \$83 million; 35,000 citizens would eligible for care.

Full Expansion With Federal Match

Brewer: Arizona would *net a surplus* of \$62 million; 101,900 citizens eligible for care.

Legislature: Arizona would *spend* \$6 million; 101,000 people would be eligible for care.

In order of issues, until the Medicaid debate is resolved, final work on the state budget remains stalled. The Medicaid issue is now framed often in the media and in public conversations in relationship to personal stories of impact on individuals and families and their very personal short and long term medical care needs and conditions.

Reminder: You may be interested in following more closely one of more of the bills that are of special interest to you or that may have an impact on you, a family member, a friend, or neighbor. If you want to begin doing this, simply type the address www.azleg.gov into your computer ‘internet browser’ (the main block at the top of your computer screen), or search for the phrase ‘Arizona State Legislature’ and click on the link to the official AZ Legislature website (usually the first result).

Please let us know how we can make this report more useful for you (lclausen@azdes.gov).

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ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Status Summary Table

April 26, 2013

Key:

Passed & Signed	In Progress	Failed
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Please refer to the Glossary at the end of the document for definitions of unfamiliar terms.

* Indicates items new to the report this week

BILLS RELATED TO DEVELOPMENTAL DISABILITY ISSUES			
Bill Number	Sponsor	Brief Description	Status
HB 2042 Fact Sheet	Representative H. Carter (REP)	Technical correction; home health agencies Now: Schools, Pupils with Diabetes Allows voluntary diabetes care assistants to administer or assist a pupil self-administer insulin in an emergency situation under certain circumstances.	Signed by Governor 4/11/13

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
HB 2044 Fact Sheet	Representative H. Carter (REP)	Arizona Health Care Cost Containment System (AHCCCS); Continuation. Extend the AHCCCS system for 10 more years to July 1, 2023.	Passed House 2/13/13. Assigned to Senate Health & Human Services Committee. Senate second read: 2/20/13 2/27/13 Recommendation: Do Pass 3/5/13: Majority Caucus Y; Minority Caucus Y
HB 2045 Fact Sheet	Representative H. Carter (REP)	AHCCCS; Hospital Reimbursement Methodology Change the way hospitals are paid; no longer require legislature to approve new rates.	Passed House 2/21/13 Passed Senate with amendments 4/15/13 4/16/13 House Majority Caucus H; Minority Caucus Y 4/23/13 House refused to concur in Senate amendments Moved to FREE Conference Committee.

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
HB 2047 Fact Sheet	Representatives: D. Goodale (REP); P. Boyer (REP)	AIMS Replacement Effective July 1, 2014, the Arizona Instrument to Measure Standards (AIMS) test is eliminated and replaced with a competency test adopted by the State Board of Education	Passed House 2/5/13. Assigned to Senate Education Committee and Government and Environment Committee. Senate second read 2/20/13 3/21/13 Education Committee - discussion only.
HB 2066 Fact Sheet	Representatives H. Carter (REP); K. Brophy McGee (REP);	Definitions; Archaic Language; Removal Makes various changes to definition sections of current ARS in order to remove archaic language.	Signed by Governor 4/11/13

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
HB2089 Fact Sheet	Representatives: K. Brophy McGee (REP); H. Carter (REP)	AHCCCS; Chronically Ill Children Amends or changes a variety of sections of the current statutes related to ACHHS.	Passed House 2/28/13 Passed Senate 4/15/13
HB2091 Fact Sheet	Representatives: K. Brophy McGee (REP); H. Carter (REP)	AHCCCS; Orthotic Services; Restoration Amends or changes services related to the AHCCCS system.	Passed House 3/6/13 Assigned to Senate Health & Human Services Committee & Appropriations Committee. Senate first read: 3/7/13 Recommendation: Do Pass with amendments 3/20/13 & 3/26/13 3/27/13 Passed Senate Appropriations with amend 4/23/13: Majority Caucus Y; Minority Caucus Y

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
HB 2144 Fact Sheet	Representatives: K. Brophy McGee (REP); C. Miranda (DEM); H. Carter (REP); D. Goodale (REP)	Child Protective Services Amends or changes the current ARS that defines the purpose of this agency to include investigations, safety matters, cooperative work with law enforcement agencies, coordination of permanent solutions on behalf of all children.	Passed House 2/28/13 Assigned to Senate Health & Human Services Committee Senate second read: 3/5/13 Recommendation: Do Pass with amendments 3/13/13 3/19/13: Majority Caucus Y; Minority Caucus Y
HB 2158 Fact Sheet	Representative J. Kavanagh (REP).	Court-ordered Evaluations This bill is an emergency measure that allows a peace officer (officer) to detain a person who is believed to be a danger based on probable cause.	Passed House 2/28/13 Assigned to Senate Public Safety Committee Senate second read: 3/5/13 Recommendation: Do Pass 3/13/13
HB 2161 Fact Sheet Pending	Representatives: C. Campbell (DEM); E. Meyer (DEM), B. Wheeler (DEM), M. A. Cardenas (DEM), A. Delessandro (DEM); D. McCune Davis (DEM)	License Fee; Service Dogs; Waiver Amends or changes the language in the Arizona Revised Statutes on the process of animal registration and control.	Assigned to Agriculture and Water Committee. House second read: 1/23/13

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
HB 2259 Fact Sheet	Representatives T. Forese (REP); S. Montenegro (REP); W. Peterson (REP); J. Dial (REP); T.J. Shope (REP)	Vocational Rehabilitation; Prosthetic Appliances; Orthodontics <input type="checkbox"/> NOW: Orthodontic devices; Transaction Privilege Tax For the purposes of vocational rehabilitation, the definition of "prosthetic appliance" is expanded to include orthodontic appliances.	4/17/13 Signed by Governor
HB 2401 Fact Sheet	Representative H. Carter (REP)	Service Animal; Definition. Amends or changes the Arizona Revised Statutes related to the handling of animals.	4/5/13 Signed by Governor

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
HB 2458 Fact Sheet	Representatives: P. Boyer (REP); J. Allen (REP); J. D. Mesnard (REP); J. Olson (REP); B. Robson (REP); K. Townsend (REP); S. Yarbrough (REP);	Empowerment Scholarship Accounts; Fraud Prevention Outlines additional policies that the Arizona Department of Education (ADE) can adopt to monitor fraudulent activity in Empowerment Scholarship Accounts (ESA), and details what constitutes fraudulent use of an ESA.	Passed House 2/19/13. Passed Senate 4/22/13 Transmitted to House for action on Senate amendments 4/23/13
HB 2476 Fact Sheet	Representatives K. Townsend (REP); S. Borrelli (REP); A. Kwasman (REP); D. Lesko (REP); W. Peterson (REP); D. Stevens (REP);	Schools; Isolation Rooms; Restrictions This law amends or changes the Arizona Revised Statutes relating to pupil discipline.	Signed by Governor 4/3/13

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
HB 2483 Fact Sheet	Representative D. Stevens (REP);	Public Notices; Publishing; Public Medium Requires public notices to be published on a public medium rather than in a newspaper.	3/18/13 Failed in House
HB2533 Fact Sheet	Representatives W. Peterson (REP); D. Goodale (REP); P. Lovas (REP); A. Biggs (REP);	Local Governments; Public Notices; Website Authorizes counties and municipalities to publish public notices on a website instead of in a print newspaper.	3/18/13 Passed House on reconsideration. Assigned to Senate Government & Environment Committee. Senate second read: 3/20/13 3/21/13 Held in Committee.

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
SB 1090 Fact Sheet	Senators: L. Landrum Taylor (DEM); D. Bradley (DEM); K. Hobbs (DEM); L. Lopez (DEM); B. McGuire (DEM); A. Tovar (DEM); N. Barto (REP); J. Burges (REP); R. Murphy (REP); K. Yee (REP); Representative C. Miranda (DEM);	Dependent Children; Placement; Grandparents; Stipend Restores a monthly stipend and other benefits to grandparents and great grandparents who are caring for their children.	Passed Senate with Amendments 2/18/13 Passed House 4/22/13 with amendments

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
SB 1093 Fact Sheet	Senator J. McComish (REP); Representatives J. Dial (REP); B. Robson (REP)	Disability Placards; Non-profit Organizations Amends or changes the Arizona Revised Statutes related to special license plates.	Passed Senate 2/6/13 Passed House with amendments 4/1/13 4/22/13 Senate Concurrence passed.
SB 1100 Fact Sheet	Senators: K. Yee (REP); K. Hobbs (DEM); L. Landrum Taylor (DEM); L. Lopez (DEM); R. Meza (DEM); L. Pancrazi (DEM); M. Raegan (REP); N. Barto (REP); D. Bradley (DEM); C. Crandell (REP); A Driggs (REP); G. Griffin (REP); S. Pierce (REP); K. Ward (REP)	ASDB; Continuation Continues the Board of Directors of the Arizona State Schools for the Deaf and Blind (ASDB) for 10 years.	Passed Senate 2/6/13 Assigned to House Education Committee. House second read: 2/19/13 Recommendation: Do Pass 2/25/13 3/12/13: Majority Caucus Y; Minority Caucus Y

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING COUNCIL LEGISLATIVE REPORT



Bill Number	Sponsor	Brief Description	Status
SB1108 Fact Sheet	N. Barto (REP); J. Burges (REP); G. Griffin (REP); L. Landrum Taylor (DEM); R. Murphy (REP); D. Lesko (REP); A. Biggs (REP); D. Bradley (DEM); D. Shooter (REP); K. Ward (REP); S. Yarbrough (REP); K. Yee (REP)	Foster Home Licensure; Immunizations Prohibits DES from requiring a foster parent to immunize the parent's natural or adoptive children as a condition of foster home licensure.	2/20/13: Failed to pass Senate 14-15. 2/21/13 Passed Senate on reconsideration 27-2. Passed House 4/23/13
SB 1437 Fact Sheet	K. Ward (REP); A Driggs (REP); S. Pierce (REP);	Music Therapists; Licensure Adds a new chapter to Title 36 (Public Health and Safety) regulating music therapists under the Department of Health Services. Establishes qualifications for licensure as a music therapist.	Passed Senate 3/19/13 Passed House with amendments 4/8/13 Passed Senate with amendments 4/22/13

DETAILED INFORMATION

April 26, 2013

Bills Related to Developmental Disability Issues:

HB 2042: ~~TECHNICAL CORRECTION; HOME HEALTH AGENCIES~~
NOW: SCHOOLS; PUPILS WITH DIABETES

Status: **Signed by Governor 4/11/13**

Summary: Allows voluntary diabetes care assistants to administer or assist a pupil self-administer insulin in an emergency under certain circumstances. Expands the required training provided by a licensed health professional regarding diabetes.

HB 2044: ARIZONA HEALTH CARE COST CONTAINMENT
SYSTEM (AHCCCS); CONTINUATION.

Status: **Passed House 2/13/13. Assigned to Senate Health & Human
Services Committee. Senate second read: 2/20/13.**

**Recommendation: Do Pass. 3/5/13 Majority Caucus Y;
Minority Caucus Y**

Summary: This law would extend the AHCCCS system for 10 more years
to July 1, 2023

HB 2045: AHCCCS; HOSPITAL REIMBURSEMENT
METHODOLOGY

Status: **Passed House 2/21/13. Passed Senate with amendments
4/15/13.**

**4/16/13 House Majority Caucus H; Minority Caucus Y
4/23/13 House refused to concur in Senate amendments and
named Carter, Boyer and Meyer to a FREE Conference
Committee. Senate named Barto, Bradley and Ward.**

Summary: This law changes the way hospitals are paid using a process
similar to those established in the Social Security Act. The law
would no longer require the legislature to approve new rates.

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accuracy and timeliness of the information provided in this status report by making
regular updates. There may be times between updates, however, when information is not
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HB 2047: PUPIL ASSESSMENTS; AIMS TRANSITION

Status: **Passed House with amendments. Assigned to Senate Education Committee and Government and Environment Committee. Senate second read: 2/20/13. 3/21/13: Education Committee – discussion only.**

Summary: AIMS Replacement ☐

Effective July 1, 2014, the Arizona Instrument to Measure Standards (AIMS) test is eliminated and replaced with a competency test adopted by the State Board of Education

HB 2066: DEFINITION; ARCHAIC LANGUAGE; REMOVAL

Status: **Signed by Governor 4/11/13**

Summary: Makes various changes to definition sections of statute in order to remove archaic language.

HB 2089: AHCCCS; CHRONICALLY ILL CHILDREN

Status: **Passed House 2/28/13. Passed Senate 4/15/13.**

Summary: This law amends or changes a variety of sections of the current statutes related to ACHHS.

This law would include the following actions:

- a) Use a definition of chronic illness or physical disability;
- b) Specify a diagnosis before the age of 21 years of age and whose primary diagnosis is a severe physical condition that requires ongoing medical intervention;
- c) As monies are available – a program will be established for these children that evaluates their needs; gathers statistical information; and sets up service delivery.
- d) A statewide information and referral service to enhance service delivery
- e) Acceptance of federal monies for these services
- f) This program will continue through July 1, 2023.

HB 2091: AHCCCS; ORTHOTIC SERVICES; RESTORATION

Status: Passed House 3/6/13. Passed Senate Health & Human Services Committee and Appropriations Committee. Senate first read: 3/7/13. Recommendation: Do Pass with amendments 3/20/13 & 3/26/13. 3/27/13 Passed Senate Appropriations with amendments.
4/23/13: Majority Caucus Y; Minority Caucus Y

Summary: This law amends or changes services related to the AHCCCS system.

This law restores coverage for orthotic device if it is prescribed; the device is less expensive than other treatment options or surgical procedures and it is medically recognized as the preferred treatment.

HB 2144: CHILD PROTECTIVE SERVICES

Status: Passed House 2/28/13. Assigned to Senate Health & Human Services Committee.
Senate second read: 3/5/13. Recommendation: Do Pass with amendments 3/13/13.
3/19/13 Majority Caucus Y; Minority Caucus Y

Summary: Amends or changes the section of the Arizona Revised Statutes that defines the purpose of this agency to include investigations, safety matters, cooperative work with law enforcement agencies, coordination of permanent solutions on behalf of all children.

HB 2158: COURT-ORDERED EVALUATIONS

Status: Passed House 2/28/13. Assigned to Senate Public Safety Committee. Senate second read: 3/5/13. Recommendation: Do Pass 3/13/13.

Summary: This bill is an emergency measure that allows a peace officer (officer) to detain a person who is believed to be a danger based on probable cause, rather than observed behavior (current). It also extends the time period, from twenty-four to forty-eight hours, a person may be detained in custody for emergency admission.

HB 2161: LICENSE FEE; SERVICE DOGS; WAIVER

Status: Assigned to Agriculture and Water Committee.
House second read: 1/23/13.

Summary: Amends or changes the language in the Arizona Revised Statutes on the process of animal registration and control.

This law permits the members of the Board of Supervisors of each Arizona County to not charge a person with disability and who uses a service animal. The person with the service dog must provide proof that the dog is a service animal in order to not have to pay a regular fee.

HB 2259: VOCATIONAL REHABILITATION; PROSTHETIC APPLIANCES; ORTHODONTICS

Status: Signed by Governor 4/17/13

Summary: For the purposes of vocational rehabilitation, the definition of "prosthetic appliance" is expanded to include orthodontic appliances.

Impact: • To be determined

HB 2401: SERVICE ANIMAL; DEFINITION.

Status: Signed by Governor 4/5/13

Summary: Amends or changes the Arizona Revised Statutes related to the handling of animals. This law clarifies and expands the definition of the term service animal to include an animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability including physical, sensory, psychiatric, intellectual or other mental disability. This includes a miniature horse that is individually trained to do work for a disabled individual.

HB 2458: EMPOWERMENT SCHOLARSHIP ACCOUNTS; FRAUD PREVENTION

Status: Passed House 2/19/13. Passed Senate 4/22/13. Transmitted to House for action on Senate amendments.

Summary: Outlines additional policies that the Arizona Department of Education (ADE) can adopt to monitor fraudulent activity in Empowerment Scholarship Accounts (ESA) and details what constitutes fraudulent use of an ESA.

HB 2476: SCHOOLS; ISOLATION ROOMS; RESTRICTIONS

Status: Signed by Governor 4/3/13.

Summary: This law amends or changes the Arizona Revised Statutes relating to pupil discipline. It provides for the following actions: beginning in the school year 2013-2014, disciplinary policies for the confinement of pupils left alone in an enclosed space will ensure the criteria for confinement; the size of the room in which the confinement will occur; the maximum number of minutes that the pupil will be physically prevented from exiting the room in which the confinement occurs; the method for monitoring the pupil.

HB 2483 PUBLIC NOTICES; PUBLISHING; PUBLIC MEDIUM

Status: Failed House 3/18/13.

Summary: This law amends or changes the Arizona Revised Statutes relating to the publishing of statutory public notices. It requires public notices to be published on a public medium rather than in a newspaper.

HB 2533 LOCAL GOVERNMENTS; PUBLIC NOTICES; WEBSITE

Status: 3/18/13 Passed House on reconsideration. Assigned to Senate Government and Environment Committee. Senate second read: 3/20/13. Held in Committee 3/21/13.

Summary: Authorizes counties and municipalities to publish public notices on a website instead of in a print newspaper.

SB 1090: DEPENDENT CHILDREN; PLACEMENT;
GRANDPARENTS; STIPEND

Status: Passed Senate with amendments 2/18/13. Passed House 4/22/13 with amendments.

Summary: Restores a monthly stipend and other benefits to grandparents and great grandparents who are caring for their children.

SB 1093: DISABILITY PLACARDS; NON-PROFIT ORGANIZATIONS

Status: **Passed Senate 2/6/13.**
Passed House with amendments 4/1/13.
4/22/13 Senate concurrence passed.

Summary: Amends or changes the Arizona Revised Statutes related to special license plates. This law allows the issuance of up to three permanently disabled removable windshield placards to a nonprofit organization that provides assistance to senior citizens.

SB 1100: ASDB; CONTINUATION

Status: **Passed Senate. Assigned to House Education Committee. House second read: 2/19/13. Recommendation: Do Pass 2/25/13. 3/12/13: Majority Caucus Y; Minority Caucus Y. 3/12/13: Majority Caucus Y; Minority Caucus Y.**

Summary: This law continues the Board of Directors of the Arizona State Schools for the Deaf and Blind (ASDB) for 10 years.

The ASDB was established in 1912 to serve children from birth through age 21. The schools currently serve over 2200 students on three campuses, preschool services and contracted services provided at local schools. The Board continues until July 1, 2023. There is no anticipated fiscal impact to the general fund.

SB 1108: FOSTER HOME LICENSURE; IMMUNIZATIONS

Status: **Assigned to Health and Human Services Committee.**
2/20/13: Failed to pass Senate 14-15. 2/21/13: Passed Senate on re-consideration 27-2. Passed House 4/23/13.

Summary: This law changes the requirements and condition of foster home licensure.

The Department of Economic Security is prohibited from requiring a foster parent to immunize the parent's natural or adoptive children as a condition of foster home licensure.

SB 1437: MUSIC THERAPISTS; LICENSURE

Status: **Passed Senate 3/19/13**

Passed House with amendments 4/8/13.

Passed Senate with amendments 4/22/13.

Summary: Adds a new chapter to Title 36 (Public Health and Safety) regulating music therapists under the Department of Health Services. Establishes qualifications for licensure as a music therapist. Beginning October 1, 2014, a person is prohibited from engaging in the "practice of music therapy" (defined) or claiming to be a music therapist unless the person is licensed. Establishes disciplinary actions, including civil penalties for violations of these regulations.

Impact: • To be determined

**SUMMARY OF RESOLUTIONS AND MEMORIALS PASSED/SIGNED
INTO LAW**

- [HCM 2007](#) Cherrybell; Mail Processing Center
- [HCR 2019](#) National Wear Red Day
- [HCR 2020](#) First Responders Recognition Day
- [HCR 2034](#) Arizona Territory; 150th Anniversary
- [HCR 2035](#) Recognizing Arizona Caregivers
- [HCR 2036](#) Boy Scouts of America
- [HR 2001](#) Recognizing Autism Organizations
- [SCM 1001](#) Clean Air Act
- [SCR1009](#) Inmate Labor and Services
- [SCR 1012](#) EPA Actions; Haze
- [SCR 1013](#) Endangered Species Act
- [SCR 1014](#) Vietnam War; Commemorative Partner
- [SCR 1015](#) Support; Second Amendment
- [SCR 1020](#) Sheriff Larry Dever; Death Resolution
- [SR 1003](#) Honoring Paul & Lorena Williams